

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRIAN STACY,

No. C 13-2088 RS

Plaintiffs,

ORDER OF DISMISSAL

v.

STATE OF CALIFORNIA,

Defendant.

Plaintiff Brian Stacy, proceeding pro se, filed a complaint averring that he is “seeking protection from the ‘state terrorism’ he is living under,” including “illegal surveillance” from “stalkers” on May 7, 2013. Dkt. 1. Plaintiff filed an application to proceed in forma pauperis (IFP) with his complaint. Dkt. No. 2. The IFP Application was granted.

The complaint was dismissed without prejudice in accordance with the Court’s continuing duty to dismiss any case in which a party seeks leave to proceed *in forma pauperis* if it determines that the action (1) is frivolous or malicious; (2) fails to state a claim on which relief may be granted; or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2); *see* Dkt. No. 11. On May 9, 2013, the order dismissing the complaint informed Stacy that failure to file an amended complaint within thirty days would result in his case being dismissed without further notice. No such complaint having been filed, it hereby is.

IT IS SO ORDERED.

Dated: 9/17/13



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE